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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,898	01/29/2002	Eiichi Takami	03500.012697.1	5158
5514	7590	02/07/2006	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			LUU, THANH X	
			ART UNIT	PAPER NUMBER
			2878	

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

EV

Office Action Summary	Application No. 10/057,898	Applicant(s) TAKAMI ET AL.	
	Examiner Thanh X. Luu	Art Unit 2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-26, 28-31, 34, 35, 55-65 and 67-70 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 23-26, 28-31, 34, 35, 55-65 and 67-70 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 6, 2006 has been entered.

Claims 23-26, 28-31, 34, 35, 55-65 and 67-70 are currently pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 56-65, 69 and 70 are rejected under 35 U.S.C. 102(b) as being anticipated by the Japanese publication of Suzuki et al. (JP 07-280944, published October 27, 1995).

Regarding claims 56-65, 69 and 70, Suzuki et al. disclose (see Figs. 4 and 9) an imaging apparatus, comprising: a photoelectric conversion device (CCD sensor 24) having a plurality of photoelectric conversion elements on a panel (substrate 23) and lead electrode portions on a principal surface (CCDs inherently have lead electrode portions); a wavelength converting member (fluorescence plate 26) arranged on the

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photoelectric conversion elements; a grounded conductive member (conductive member 22) fixed to (through elements 23, 24 and 25) the wavelength converting member; and a resin (containers 40 and 45 made of resin; see paragraph 0055) that seals at least a portion of the panel and at least a part of an end face of the conductive member wherein the panel and the conductive member are in close proximity with each other. Suzuki et al. also disclose (see paragraph 0037) the conductive member is aluminum, the conductive member extends out (see Fig. 3) as claimed, and the conductive member (see Fig. 4) covers a wider area than the photoelectric conversion elements. Furthermore, since the conductive member (22; see Fig. 4) wraps around, as understood, the conductive member covers one surface and an end face of the wavelength converting member.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23-26, 28-31, 34, 35, 55, 67 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al. in view of Crowell et al. (U.S. Patent 5,804,832).

Regarding claims 23-26, 28-31, 34, 35, 55, 67 and 68, Suzuki et al. disclose the claimed invention as set forth above. Suzuki et al. further disclose (see Fig. 4 a housing (container 20) as claimed. Suzuki et al. do not specifically disclose a plurality of

(container 20) as claimed. Suzuki et al. do not specifically disclose a plurality of substrates as claimed. Crowell et al. teach (see Fig. 4) making a larger photoelectric conversion device with a plurality of substrates arranged adjacent to each other. Thus, Crowell et al. recognize that larger sensors can be obtained by using a plurality of substrates as claimed. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a plurality of substrates arranged adjacent to each other in the apparatus of Suzuki et al. in view of Crowell et al. to cost effectively obtain larger image sensors for more comprehensive imaging.

Response to Arguments

6. Applicant's arguments filed January 6, 2006 have been fully considered but they are not persuasive.

Applicant asserts that Suzuki et al. does not disclose the conductive member fixed to the wavelength converting member. Examiner disagrees. Suzuki et al. in another embodiment clearly shows (see Fig. 4) the conductive member (22) fixed to (stuck to) the wavelength converting member (26) through elements 23, 24 and 25.

Thus, as set forth above, this rejection is proper.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh X. Luu whose telephone number is 571-272-2441. The examiner can normally be reached on M-F 6:00AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on 571-272-2328. The fax phone number for

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the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thanh X Luu
Primary Examiner
Art Unit 2878

02/2006